

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

ABRAHAM GRANT

PETITIONER

v.

CASE NO. 5:14CV00410 BRW-BD

**RICHARD PROCTOR and
CHALK MITCHELL**

RESPONDENT

ORDER

The Court has reviewed the Recommended Disposition (“Recommendation”) filed by Magistrate Judge Beth Deere. No objections have been filed and the time for doing so has passed.

After careful consideration, this Court adopts the Recommendation as its own. Petitioner Abraham Grant’s petition for writ of habeas corpus (Doc. No. 2) is DENIED and DISMISSED, without prejudice. The two motions for Order (Doc. Nos. 5 and 6) are DENIED as MOOT.

When entering a final order adverse to a habeas corpus petitioner, the Court must issue or deny a certificate of appealability.¹ A certificate of appealability may issue only if a petitioner has made a substantial showing of the denial of a constitutional right.² In this case, there is no basis for this court to issue a certificate of appealability. Accordingly, a certificate of appealability is denied.

IT IS SO ORDERED this 5th day of December, 2014.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹Rule 11 of the Rules Governing Section 2254 Cases.

²28 U.S.C. § 2253(c)(1)-(2).